

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Civil No. 09-816 (DSD/SER)

Devon Seivers,

Plaintiff,

v.

ORDER

City of Minneapolis, Minneapolis Police Officers James Bulleigh (Badge #0860) and Daniel Lysholm (Badge #4309), both individually and officially, John Does and other unnamed Police Officers, and Timothy Dolan, Chief of Minneapolis Police, personally and individually,

Defendants.

This action arises out of the arrest of plaintiff Devon Seivers on September 9, 2006. Seivers filed a nine-count amended complaint against defendants City of Minneapolis, James Bulleigh, Daniel Lysholm, John Does, other unnamed police officers and Timothy Dolan. See ECF No. 42. On January 25, 2011, the court granted partial summary judgment on counts II through IX in favor of defendants. See ECF No. 61. As a result, no claims remained against the City or Dolan.

The remaining count of excessive force against Bulleigh and Lysholm proceeded to jury trial from June 6-9, 2011. After plaintiff rested, the parties agreed to dismiss the Does, other unnamed police officers and Dolan. See ECF No. 107. Bulleigh and Lysholm moved for judgment as a matter of law. The court granted

the motion as to Lysholm and took the motion under advisement as to Bulleigh. *Id.* The jury returned a verdict that Bulleigh did not use excessive force on plaintiff on or about September 9, 2006.

Accordingly, **IT IS HEREBY ORDERED** that:

1. The court adopts the verdict of the jury;
2. The oral motion for judgment as a matter of law as to Bulleigh is moot; and
3. The remaining claim against defendant Bulleigh is dismissed with prejudice.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: June 9, 2011

s/David S. Doty
David S. Doty, Judge
United States District Court